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Attorneys for Plaintiffs
CHILD DEVELOPMENT
INCORPORATED, CONTINUING
DEVELOPMENT INCORPORATED,
and CHILD DEVELOPMENT CENTERS



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHILD DEVELOPMENT
INCORPORATED, a California
corporation; CONTINUING
DEVELOPMENT INCORPORATED, a
California corporation; CHILD
DEVELOPMENT CENTERS, a California
corporation

Plaintiffs,

vs.

FOUNDATION INSURANCE
COMPANY, a South Carolina corporation;
INSERVE CORPORATION, a North
Carolina corporation; TARHEEL
INSURANCE MANAGEMENT
COMPANY, a Delaware corporation;
CLARENDON NATIONAL INSURANCE
COMPANY, a New Jersey corporation

Defendants.

Case No. C 04-1909 JW

**STIPULATION AND ~~PROPOSED~~
ORDER RE EXPERT DISCLOSURE**

Complaint Filed: 5/14/04

The parties hereby stipulate and agree as follows:

1. The parties have agreed to proceed with a private mediation in advance of the close of discovery in order to explore the possibility of a voluntary settlement prior to incurring the expense of completing all discovery necessary for trial. Toward that end, and in order to obviate the need to incur the expense of preparation and exchange of expert reports at a time when it appears that the case may be amenable to settlement through mediation, the

1 parties have agreed to defer the date by which expert witnesses are to be disclosed, and their
2 reports are to be exchanged, until 30 days after completion of the mediation. The parties
3 expect said mediation will take place in September or early October of 2005.

4 Dated: August 1, 2005

ROGERS JOSEPH O'DONNELL & PHILLIPS

5 /s/

6 By: _____

PAUL M. ZIEFF

7 Attorneys for Plaintiffs
8 CHILD DEVELOPMENT
9 INCORPORATED, CONTINUING
DEVELOPMENT INCORPORATED, and
CHILD DEVELOPMENT CENTERS

10 Dated: _____, 2005

FOLEY & LARDNER LLP

11 By: _____

12 MICHAEL A. NARANJO

13 Attorneys for Defendant
14 CLARENDON NATIONAL INSURANCE
15 COMPANY

16 Dated: _____, 2005

LEWIS BRISBOIS BISGAARD & SMITH LLP

17 By: _____

18 MICHAEL K. JOHNSON

19 Attorneys for Defendants INSERVE
20 CORPORATION, TARHEEL INSURANCE
21 MANAGEMENT COMPANY and
FOUNDATION INSURANCE COMPANY

22 IT IS SO ORDERED.

23
24
25 Dated: _____, 2005

UNITED STATES DISTRICT JUDGE

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/s/

By: _____

PAUL M. ZIEFF

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CHILD DEVELOPMENT
INCORPORATED, CONTINUING
DEVELOPMENT INCORPORATED, and
CHILD DEVELOPMENT CENTERS

10 Dated: August 1, 2005

FOLEY & LARDNER LLP

By: _____

MICHAEL A. MARANO

Attorneys for Defendant
CLARENDON NATIONAL INSURANCE
COMPANY

16 Dated: _____, 2005

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: _____

MICHAEL K. JOHNSON

Attorneys for Defendants INSERVE
CORPORATION, TARHEEL INSURANCE
MANAGEMENT COMPANY and
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5 /s/

6 By: _____
PAUL M. ZIEFF

7 Attorneys for Plaintiffs
8 CHILD DEVELOPMENT
9 INCORPORATED, CONTINUING
DEVELOPMENT INCORPORATED, and
CHILD DEVELOPMENT CENTERS

10 Dated: _____, 2005

FOLEY & LARDNER LLP

11 By: _____
12 MICHAEL A. NARANJO

13 Attorneys for Defendant
14 CLARENDON NATIONAL INSURANCE
15 COMPANY

16 Dated: 8/1, 2005

LEWIS BRISBOIS BISGAARD & SMITH LLP

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18 MICHAEL K. JOHNSON

19 Attorneys for Defendants INSERVE
20 CORPORATION, TARHEEL INSURANCE
21 MANAGEMENT COMPANY and
FOUNDATION INSURANCE COMPANY

22 IT IS SO ORDERED.

23
24
25 Dated: August 02, 2005

/s/ James Ware
UNITED STATES DISTRICT JUDGE